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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/782,107	02/13/2001	Mihal Lazaridis	555255012189	3129
7590 11/17/2004				
David B. Cochran, Esq. Jones, Day, Reavis & Pogue North Point, 901 Lakeside Avenue Cleveland, OH 44114				
		EXAMINER EDELMAN, BRADLEY E		
		ART UNIT 2153 PAPER NUMBER		

DATE MAILED: 11/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/782,107

Applicant(s)

LAZARIDIS ET AL.

Examiner

Bradley Edelman

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 August 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2 and 44-55 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 44-52, 54 and 55 is/are rejected.
- 7) ☒ Claim(s) 53 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 February 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This action is in response to Applicant's declaration and request for reconsideration filed on August 21, 2003. Claims 2 and 44-55 are presented for examination. Claims 44-55 are new claims.

Affidavit Filed Under 37 CFR 1.131

1. Note that the Affidavit filed on August 21, 2003 under 37 CFR 1.131 is sufficient to establish a date of priority of September 29, 1997.

Note on Claim Language

2. Note, that certain terms used in the claims are broad terms that must be interpreted accordingly. One example of such a term is "coupled," which is used in one instance as follows: "a first network coupled to the redirector component." Such usage of the word "coupled" does not require a direct connection between the network and the redirector component or a particular wire, cable, or other medium between the network and the redirector component. Instead, as defined in Merriam Webster's Collegiate Dictionary, Tenth Edition, the word "coupled" requires only that the two entities are "[brought] into such close proximity as to permit mutual influence" on each other. As another example, the word "in conjunction" merely means "occurring together in time or space," and does not require that the specific time or space be confined to any particularly narrow instance. The claims have been interpreted in view of the broad terminology used therein, as discussed in the claim rejections below.

Claim Objections

3. Claim 48 is objected to because of the following informalities: it appears to be missing the word "and" on line 5 of the claim between the words "compressed" and "encrypted". Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2 and 45-47 are rejected under 35 U.S.C. 103(a) as being unpatentable over AirMobile Server (AirMobile Wireless Software for Lotus cc:Mail, Communication Server Guide, Motorola, 1995), in view of AirMobile Client (AirMobile Wireless Software for Lotus cc:Mail, Communication Client Guide, Motorola, 1995), and further in view of Murota (U.S. Patent No. 6,289,105).

Note, the AirMobile Server and AirMobile Client guide present different aspects of the same system, and are therefore are treated as a single system for the purposes of this rejection. They are hereinafter referred to together as "AirMobile" with specific citations to the Server guide as "AirMobileS" and the Client guide as "AirMobileC."

In considering claim 1, AirMobile discloses a secure electronic message redirection system (AirMobileS, p. 25, bullet 1, "Motorola AirMobile Wireless for cc:Mail

software provides a secure and authenticated virtual wireless communication channel between your laptop and your LAN-based cc:Mail server”), comprising:

A messaging server coupled to a redirector component (“AirMobile Wireless for cc:Mail Server,” AirMobileS, P. 10, Fig. 1-1; p. 25, “Overview” ¶ 1, wherein the redirector component is included in the messaging server), wherein the redirector application is configured to sense a trigger event (AirMobileS, “Enable” message, p. 39, Fig. 4-2) and in response to the trigger event to continuously redirect electronic messages received and stored at the messaging server to a mobile data communication device (AirMobileC, p. 17, “Enable/Disable” paragraph; AirMobileS, p. 25, bullet 1, both describing the immediate forwarding of messages received at the server to the wireless device);

A first network coupled to the redirector component (Fig. 1-1, the wireline network);

A wireless data network coupled to the mobile data communication device (Fig. 1-1, “wireless data network”);

A wireless gateway coupled between the first network and the wireless data network for transmitting messages between the first network and the wireless network (Fig. 1-1, “Wireless network adapter”); and

A secure link formed between the redirector component and mobile data communication device through the wireless gateway, such that messages are secure while being transmitted over the first network, the wireless network, and through the

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wireless gateway (AirMobileS, p. 25, bullet 1, "secure and authenticated virtual wireless communication channel between your laptop and your LAN-based cc:Mail server").

However, AirMobile remains silent regarding how to implement the security features of the messaging system. Thus, AirMobile does not disclose that the secure link is formed using an encryption module operating in conjunction with the redirector component that encrypts the electronic messages prior to redirection to the mobile data communication device, and a decryption module operating at the mobile data communication device that decrypts the electronic mail messages received from the redirector component, such that the redirected messages remain encrypted while being transmitted over the first network, the wireless network, and the gateway. Nonetheless, encrypting electronic messages at a client device that works in conjunction with an e-mail server, such that the electronic mail messages remain encrypted until received at the destination device where they are decrypted, is well known, as evidenced by Murota.

In a similar art, Murota discloses a system for encrypting e-mail messages, wherein a message is encrypted at the sending end, is then transmitted over the network (thus remaining encrypted throughout its transmission), and is finally decrypted at the receiving computer (col. 1, lines 23-48). Such an e-mail encryption will inherently be carried out in conjunction with a redirecting e-mail server, since all e-mails sent over a computer network must be transmitted through some e-mail hosting device. Such encryption is advantageous because it prevents leaks of secret information to outside, non-intended parties (Murota, col. 1, lines 49-53). Thus, given the teaching of Murota, it

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would have been obvious to include an encryption function such as taught by Murota in conjunction with the redirector component in the system taught by AirMobile, to prevent outside parties from having access to secret or classified messages.

In considering claim 45, AirMobile further discloses a plurality of personal computers for generating electronic messages, wherein the plurality of personal computers are coupled to the messaging server via a wired network, and wherein the messaging server includes one or more mailboxes for each user of the plurality of personal computers (AirMobileS, p. 16, "Adding Additional User Licenses to You Comm Server"; Fig. 1-1, showing that each user can have an associated cc:Mail client).

In considering claim 46, AirMobile further discloses that the plurality of personal computers are coupled to the messaging server via a LAN (Fig. 1-1, p. 10, describing a LAN).

In considering claim 47, AirMobile discloses generating a trigger event signal using the AirMobile software program (AirMobileC, p. 17). Thus, it would have been obvious to generate the event at the user's personal computer, to allow the user to set the parameters for forwarding e-mails from home.

5. Claims 44, 48, 49, 51, 52, 54, and 55 are rejected under 35 U.S.C. 103(a) as being unpatentable over AirMobile Server, AirMobile Client, and Murota, and further in view of Nakata et al. (U.S. Patent No. 5,854,841, hereinafter "Nakata").

In considering claim 44, although the combined teaching of AirMobile and Murota discloses encrypting the electronic messages throughout the transmission process, it does not also disclose compressing the messages. Nonetheless, compressing, in addition to encrypting messages sent across a network, and particularly messages sent from wired to wireless networks, is well known, as evidenced by Nakata. In a similar art, Nakata discloses a system for secure communications between clients and servers across wired and wireless networks, wherein messages sent across the network are both encrypted and compressed to enable secure communication (col. 2, lines 48-57). Nakata even discloses the compressed and encrypted message passes through a gateway device in its transition through the network (col. 14, lines 1-14). Given the teaching of Nakata, a person having ordinary skill in the art would have readily recognized the desirability and advantages of compressing, in addition to encrypting, the messages taught by AirMobile and Murota, in order to conserve bandwidth on the network. Therefore, it would have been obvious to both encrypt and compress the messages in the system taught by AirMobile.

In considering claim 48, the combined teaching of AirMobile, Murota, and Nakata will inherently package the electronic messages into electronic envelopes prior to

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redirecting them, since they would perform an end-to-end encryption and compression scheme as described above.

In considering claim 49, AirMobile further discloses that the electronic envelopes are e-mail messages addressed to the mobile device and containing the electronic messages (i.e. messages sent via cc:Mail are e-mail messages).

In considering claim 51, AirMobile further discloses that the messaging server stores received messages in a plurality of mailboxes, each mailbox being associated with a user of a mobile data communication device via a stored configuration file that links the mailbox to a device address of the mobile data communication device (AirMobileS, p. 16).

In considering claim 52, AirMobile further discloses that the redirector component communicates with the messaging server through an API that provides signals to the redirector component when a change occurs to one of the mailboxes serviced by the messaging server (an API is necessary in AirMobile to allow communications between the redirector component and the server).

In considering claim 54, AirMobile further discloses that the redirector component is coupled to the messaging server via a network (i.e. they are both connected to the LAN).

In considering claim 55, although AirMobile does not use the term "intranet," a LAN can inherently function as an intranet, and intranets are well known networks used by companies and other small group environments to maintain secure access to a network. Thus, it would have been obvious to run the AirMobile system over an intranet.

6. Claim 50 is rejected under 35 U.S.C. 103(a) as being unpatentable over AirMobile Server, AirMobile Client, and Murota, further in view of Nakata, and further in view of Picard et al. (U.S. Patent No. 6,233,318, hereinafter "Picard").

In considering claim 50, although the system taught by AirMobile, Murota and Nakata discloses the use of cc:Mail for sending e-mails from a wired network to a wireless network, it does not specify that the wired network can be the Internet, which uses TCP/IP for communication. Nonetheless, it is well known that cc:Mail can be used across the Internet via TCP/IP, as evidenced by Picard. In a similar art, Picard discloses a system allowing distributed access to electronic messages, and further describes using both TCP/IP and cc:Mail to provide the communication (col. 8, lines 48-54; col. 9, lines 40-49). Thus, TCP/IP is a standard protocol allowing e-mail communications over the Internet, and thus would have been obvious to use with the e-mail system taught by AirMobile in order to facilitate communication over the Internet.

Allowable Subject Matter

7. Claim 53 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Notably, the prior art of record does not disclose that the configuration file stored at the messaging server includes encryption information specific to the mobile data communication device, wherein the encryption information is used by the redirector component to encrypt the electronic messages transmitted to the mobile device via the secure link.

Response to Arguments

Applicant's arguments with respect to claim 2 have been considered but are unpersuasive. Nonetheless, the following arguments are relevant.

- a. There is no wireless gateway, as claimed, shown in AirMobile.
- b. The claim requires the following path: (1) redirector component – (2) first network – (3) wireless gateway – (4) wireless network – (5) mobile data communication device. AirMobile does not teach this path.

In considering (a), Applicant contends that there is no wireless gateway, as claimed, shown in AirMobile. Examiner respectfully disagrees. The "Wireless network adapter" disclosed in Fig. 1-1 of AirMobile functions as a wireless gateway. Applicant appears to argue that because wireless network adapter taught by AirMobile is a modem, it is therefore not a wireless gateway. Examiner has supplied the following

prior art references that refute this argument: U.S. Patent No. 5,852,631 (Scott) teaches a wireless communication system wherein a "MSC 12 is also connected to a data gateway comprising modems 20 and 24" (col. 4, lines 45-47); U.S. Patent No. 6,161,102 (Yanagihara et al.) teaches that a "gateway... includes a modem"; U.S. Patent No. 6,234,577 (Elrefaie et al.) teaches that "a general purpose modem or similar gateway..." (col. 1, lines 39-41). Thus, it is clear that a modem is often referred to as a gateway in the computer networking art.

In considering (b), Applicant contends that the claim requires the following path: (1) redirector component – (2) first network – (3) wireless gateway – (4) wireless network – (5) mobile data communication device, and AirMobile does not teach this path. Examiner respectfully disagrees with this argument. Notably, the claim uses broad language only requiring that the various system components are "coupled" to each other. Thus, the claims do not require the purported path argued by Applicant.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bradley Edelman whose telephone number is 571-272-3953. The examiner can normally be reached from 9 a.m. to 5 p.m.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glen Burgess can be reached on 703-305-4792. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Bradley L. Delman

BE

November 10, 2004